

**BOARD OF REGISTRATION IN PHARMACY
MEETING MINUTES
TUESDAY MAY 13, 2008
239 CAUSEWAY STREET
SECOND FLOOR, ROOM NUMBER 204
BOSTON, MA 02114**

Present: George Cayer, R.Ph., Joanne M. Trifone, R.Ph., Kathy Fabiszewski, Ph.D., R.N., Michael Tocco, R.Ph., M.Ed., Marilyn Barron, MSW, Public Member, Stanley B. Walczyk, R.Ph. and William Gouveia, R.Ph., M.S.

Absent: Sophia Pasedis, R.Ph., Pharm.D., James DeVita, R.Ph., Steven Budish, Public Member, Donald Accetta, M.D.

Staff: James D. Coffey, R.Ph., Director, Margaret C. Cittadino, Associate Director, Susan Manning, Counsel, Leo McKenna, R.Ph., Pharm.D., CQI Surveyor, Carolyn Reid, Admin. Asst., Samuel Penta, R.Ph., Superv., Cheryl Lathum, Inv.

1. 8:30 a.m. - Board Member Cayer called meeting to order.

Introductions: New Board Member: Stanley B. Walczyk, R.Ph.

Northeastern Univ., Bouve College of Health Sciences,
School of Pharmacy Student Daraza Long, 2008 Pharm.D.

2. 8:35 a.m. - Review of Board Minutes
Motion/Cayer to approve March 12, 2008 meeting minutes. Second/Trifone.
All in favor.
3. 8:40 a.m. Pharmacy/Pharmacy Dept. Applications – Dir. Coffey

Change of Manager

North Shore Pharmacy, Wakefield (Pharmacy Reg. No. 3458)
Big Y Pharmacy #14, East Longmeadow (Pharmacy Reg. No. 3458)
CVS/pharmacy #2325, Stoughton (Pharmacy Reg. No. 2850)
CVS/pharmacy #1206, Boston (Pharmacy Reg. No. 2033)
CVS/pharmacy #301, Stoneham (Pharmacy Reg. No. 15968)
CVS/pharmacy #1010, Medford (Pharmacy Reg. No. 1530)
CVS/pharmacy #657, Worcester (Pharmacy Reg. No. 24549)
CVS/pharmacy #2600, Weymouth (Pharmacy Reg. No. 3083)
Grand Union Family Pharmacy 182, Provincetown (Pharmacy Reg. 3263)
Rite-Aid Pharmacy #10169, Medford (Pharmacy Reg. No. 3260)
Rite-Aid Pharmacy #10170, Quincy (Pharmacy Reg. No. 3132)
Target Pharmacy T-1187, Danvers (Pharmacy Reg. No. 3017)
Target Pharmacy T-1229, Everett (Pharmacy Reg. No. 2991)
Wal-Mart Pharmacy 10-2660, North Reading (Pharmacy Reg. No. 2853)

Relocation

CVS/pharmacy #209, 115 Main St., N. Andover (same bldg.)
Shaw's Osco Pharmacy 7572, 370 Western Ave., Brighton (same bldg.)

Relocation

Bryman Healthcare Centers, Inc. 943 Main St., Worcester (WD Lic. 413)
TO 239 Mill St., Worcester

Renovation/Expansion

CVS/pharmacy #1095, Amherst (Pharmacy Reg. No. 2787)
CVS/pharmacy #1861, Braintree (Pharmacy Reg. No. 2078)
CVS/pharmacy #1864, Attleboro (Pharmacy Reg. No. 3030)
CVS/pharmacy #0717, Cambridge (Pharmacy Reg. No. 24854)
CVS/pharmacy #1900, Boston (Pharmacy Reg. No. 3193)

Transfer of Ownership

Infusion Network, 295 Main St., Falmouth (Pharmacy Reg. No. 2950) TO
Home Infusion Solutions, LLC.

Motion/Cayer to approve all above applications, subject to compliant
Inspections. Second/Trifone. All in favor.
Tocco recused from all above CVS applications.

4. 8:50 a.m. – Updates - Dir. Coffey
5. 9.00 a.m. – Report of Office of Investigations
File Review – Investigators Penta and Lathum.

1	DS 08 026 PH 08 052	Dismiss Advisory Letter
2	DS 08 029 PH 08 050 PH 08 051	Dismiss Advisory Letter Advisory Letter
3	DS 08 040	Dismissed
4	DS 08 038 PH 08 073 PH 08 081 PH 08 084	Dismiss Advisory Letter Advisory Letter Advisory Letter
5	DS 08 039	Dismiss
6	DS 08 048 PH 08 069	Advisory Letter Advisory Letter
7	DS 08 044	Advisory Letter
8	DS 08 065 PH 08 075 PH 08 074	Advisory Letter Advisory Letter Advisory Letter
9	DS 08 066	Dismiss
10	DS 08 064	Dismiss
11	DS 08 085 PH 08 087	Advisory Letter Advisory Letter

6. 11:00 a.m. Introduction: Massachusetts Pharmacists Association
Interim Executive V.P. Sarah MacDonald
7. 11:15 a.m. Investigative Conference
Matters of Caryn A. Domenici, R.Ph. (Pharmacist No. 24076) and Henry
Cassamajor, (Pharmacist Technician No. 5475)

Present: Caryn A. Domenici, R.Ph., Henry Cassamajor, William Churchill,
R.Ph., Director of Pharmacy, John P. Ryan, Esq.

Complaint alleged Registrant dispensed an incorrect concentration of IV
Methadone where IV Methadone 38.8 mcg every four hours was ordered
for neonatal patient at Brigham and Womens Hospital on June 22, 2007.
Motion/Cayer to discuss at next meeting Second/Trifone. All in favor.

8. 11:55 a.m. Investigative Conference
Matters of Melissa Cabral, R.Ph. (Pharmacist No. 25361) and Marion A.
Raymond, R.Ph. (Pharmacist No. 14678)

Complaint alleged Registrant dispensed an incorrect dose of Herceptin
(trastuzumab) 15 mg/kg IV to a geriatric patient at Saint Anne's Hospital,
Fall River, MA.

Present: Cabral, Raymond, William VanGelder, R.Ph., Manager of Record,
Joseph L. Doherty, Jr., Esq., Wilson D. Rogers, III, Esq.
Motion/Tocco to take matter under advisement, pending review of root cause
analysis report and updated policies and procedures. Second/Walczyk.
All in favor.

9. 12:30 p.m. – Lunch
10. 1:30 p.m. - Investigative Conferences

North Shore Pharmacy (Registrant), 360 Audubon Rd., Wakefield, MA
(Pharmacy No. 3458)

SA-DS 08-033
DS-08-012
DS-08-014
DS-08-015
DS-08-019
DS-08-042 and PH-08-080
DS-08-043 and PH-08-078
DS-08-093

SA-DS 08-033 Complaint alleged that on or about September 11 and
October 1, 2007, Registrant filed DEA 106 forms noting C II- CIV losses
(>173 units) from narcotic emergency kits supplied to long term

care facility (LTC) clients (13) during period from May 1 – September 2007.

Present: Karen L. Smith, BS, R.Ph., Manager of Record, Stephen J. Rappa, R.Ph., Northeast Region Area Director, John Balliro, R.Ph., Manager of Record, Christopher Foster, R.Ph., Manager of Record, William Fitzpatrick, Chief Corp. Compliance Officer, and Patrick Donnelly, Vice President;.

DS-08-012

▪ Incident One

Complaint alleged that on or about August 11, 2007 at 9:29 a.m., a physician order for Viramune 200 mg daily was electronically transmitted to the Pharmacy but not filled/ delivered to LTC until 10 p.m. on August 12.

▪ Incident Two

Complaint alleged that on or about August 11, 2007, Registrant dispensed a prescription for Zestril 40mg rather than Zerit 40mg as prescribed.

▪ Incident Three

Complaint alleged that on or about August 11, 2007 at 7 p.m., physician orders for Mysoline 250mg (twice daily) and Klonopin 0.5mg (twice daily) were electronically transmitted to Registrant but not filled/delivered to LTC 2 a.m. on August 12.

▪ Incident Four

Complaint alleged that on or about June 2, 2007 at 7:45 p.m., physician orders for Keppra 500mg (twice daily) and Provigil 200mg (daily) were electronically transmitted to Registrant but not filled/delivered to until 4 a.m. on June 3.

Present: Christopher J. Foster, Manager of Record

DS-08-014

Complaint alleged that on or about August 2, 2007, Registrant dispensed a Warfarin 2mg refill to LTC resident in vial improperly labeled as another LTC resident's "Lipitor 80mg".

Present: Christopher J. Foster, Manager of Record, Edward K. Freeman, Verification Pharmacist

DS-08-015

Complaint alleged that on or about May 22, 2007, Registrant received a physician order to increase a patient's Trilisate TO 750mg PO BID (1 and ½ tablets of 500 mg tablets, twice daily) and that on July 11, 2007, the patient was prescribed Trileptal 600 mg in the p.m. and Trileptal 450mg in the a.m. but Registrant dispensed Trileptal 750mg (twice daily). Verification Pharmacist: Trileptal (a.m.) Amy L. Penta, R.Ph. (Pharmacist Reg. No. 24491) and Trilisate (p.m.) and Veronica C. Tyron, R.Ph. (Pharmacist Reg. No. 23636). Inv. Penta recused.

Present: Christopher J. Foster, Amy Penta

DS-08-019

Complaint alleged that on or about May 24, 2007, Investigators Penta and Emery inspected Registrant and noted deficiencies.

Present: Christopher J. Foster, Manager of Record, Cynthia Theriault, prior Manager of Record

DS-08-042 and PH-08-080 & DS-08-043 and PH-08-078

Complaint alleged that on or about December 13, 2007, Registrant dispensed Kayexalate suspension rather than Bactrim DS suspension as prescribed to two LTC residents.

Present: John T. McInerney, R.Ph. (verification pharmacist)

DS-08-093

Complaint alleges practice as pharmacist prior to licensure (Renee Jaime – not present) from March 28 - August 3, 2007.

Present: Marc Dulac, proposed Manager of Record; William Fitzpatrick

Motion/Cayer take all above matters regarding Registrant under advisement. Second/Tocco. All in favor.

11. 2:45 p.m. – Report of Office of General Counsel
Pending legal matters - Susan Manning, Board Counsel
Closed Session (M.G.L. c. 112, s. 65C and c. 30A, s. 11A)

2:45 p.m. Motion/Tocco to enter Closed Session. Second/Trifone.
All in favor.

3:05 p.m. Motion/Cayer to exit Closed Session. Second/Barron. All in favor.

- a) Matter of Paul E. Dufresne, R.Ph. – Docket No. PH-06-027 - Petition for termination of Suspension. Tabled for next meeting.
- b) Proposed Policy: Staff Action re: Probation termination - Karen Fishman, Probation Monitor. Tabled for next meeting.
Motion/Cayer discuss future meeting. Second/Trifone. All in favor.
- c) Matter of **Nicholas Creanza**, R.Ph. – Docket No. PH-08-043.
Board reviewed response to complaint dated April 7, 2008 and Motion/Gouveia to refer the matter to DPH/Office of Public Protection for initiation of formal disciplinary proceedings. Second/Tocco. Motion

carried. Walczyk recused (exited meeting room).

12. 3:05 p.m. – **New Business**

- a) **Joanne Bridge Cole** – Pharmacy Technician Applicant.
Motion/Cayer to approve application. Second/Trifone. All in favor.
- b) **Brandon Zarr** – Pharmacy Technician Applicant.
Motion/Barron to approve application. Second/Tocco. All in favor.
- c) **Brandi Ryan** – Pharmacy Technician Applicant.
Motion/Cayer tabled to next meeting. Second/Tocco. All in favor.
Recused: Trifone (exited meeting room)
- d) **Matthew Ambrozavich** – Pharmacy Technician Applicant.
Motion/Trifone to approve application. Second/Cayer. All in favor.
- e) **John J. Burke** – Pharmacy Technician Applicant.
Motion/Cayer refer to MPRS; review report. Second/Trifone. All in favor.
- f) Policy “On Transfer of an Original Schedule VI Prescription
Not Dispensed”. Motion/Cayer to discuss at a future meeting following
Board member redrafting. Second/Tocco. All in favor.
- g) NABP 104th Annual Meeting, May 17-20, 2008 Baltimore, MD:
Discussion related to resolutions. Tocco will attend meeting.

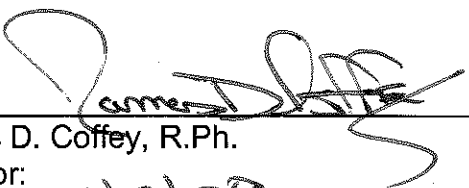
Old Business

- a) Matters of **James P. Sweeney**, R.Ph. (Pharmacist Reg. No. 15787)
and **Michelle Kampf** (Pharmacy Technician Trainee) and **Denise R.
Pinard** (Pharmacy Technician Reg. No. 2494) – Docket No. PH-08-054
Motion/Trifone discuss next meeting. Second/Cayer. All in favor.
- b) Matters of **McClelland Health Systems** (Pharmacy Reg. No. 3309),
Van Dwight Schermerhorn, R.Ph. (Pharmacist Reg. No. 15994) and
Mark Tarrant, (Pharmacy Technician Reg. No. 9411) – Docket Nos.
DS-08-031 and PH-08-053 .

Motion/Cayer discuss next meeting. Second/Walczyk. All in favor.

14. 3:30 p.m. Motion/Trifone to adjourn meeting. Second/Cayer. All in favor.

Respectfully submitted by:



James D. Coffey, R.Ph.
Director:
Date: 08/19/08

Reviewed by Counsel: July 22, 2008

Draft approved: July 22, 2008

Board approved: August 12, 2008

**BOARD OF REGISTRATION IN PHARMACY
CLOSED SESSION MINUTES
(M.G.L. c. 112, s. 65C and c. 30A, s. 11A)
MAY 13, 2008
239 CAUSEWAY STREET, ROOM 206
BOSTON, MASSACHUSETTS 02114**

2:45 p.m. Motion/Tocco to enter Closed Session. Second/Trifone.
All in favor.

- 11 c) In the matter of **Nicholas Creanza**, R.Ph. – Docket No. PH-08-043.
Board reviewed response to complaint dated April 7, 2008 and
Walczyk recused (exited meeting room). Overview provided by Board
Counsel, Susan Manning.

3:05 p.m. Motion/Cayer to exit Closed Session. Second/Barron. All in favor.